



Docket No. 19603/10214 (CRF D-1156C)

Handwritten: #21 3/6/2000 Notice of time of Appeal

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael O'Donnell
Serial No. : 08/828,323
Filed : March 28, 1997
For : DNA POLYMERASE III HOLOENZYME

Examiner: E. Stole
Art Unit: 1653

NOTICE OF APPEAL
AND
REQUEST FOR THREE-MONTH EXTENSION OF TIME

Assistant Commissioner for Patents
Washington, D. C. 20231
BOX: AF

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated August 27, 1999, finally rejecting claims 5-7, 12-16, 19, 20, 54, 55, 57-60, 64, and 65.

Enclosed is a check for \$300.00 to cover the cost of the appeal fee.

Applicant hereby requests an extension of time of three months from the due date of November 27, 1999. A check in the amount of \$870.00 is enclosed to cover the extension of time fee.

Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

03/02/2000 VVAN11 00000018 08828323

02 FC:119

300.00 OP

Respectfully submitted,

Dated: February 24, 2000

870.00 OP

Signature of Georgia Caton
Georgia Caton
Registration No. 44,597

NIXON PEABODY LLP
Clinton Square, P. O. Box 1051
Rochester, New York 14603
Telephone: (716) 263-1672
Facsimile: (716) 263-1600

03/02/2000 VVAN11 00000018 08828323

01 FC:117

Certificate of Mailing - 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below.

2/24/00
Date

Signature of Cheryl S. Mascitti
Cheryl S. Mascitti



AF/GR-1653

PATENT
Docket No.: 19603/10214 (CRF D-1156C)

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E. Stole

Art Unit:
1653

Assistant Commissioner for Patents
Washington, D.C. 20231
Box: AF

Sir:

Transmitted herewith is a Notice of Appeal and Request for Three-Month Extension of Time (1 page) in the above-identified application. Also enclosed is:

☒ A self-addressed, prepaid postcard for acknowledging receipt.

☒ The fees have been calculated as shown below:

| (Col. 1) | | (Col. 2) | | (Col. 3) | a) SMALL ENTITY b) LARGE ENTITY | |
|--|---|----------|---------------------------------------|------------------|------------------------------------|--------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADD'L FEE |
| TOTAL | 22 | MINUS | 71 | + 0 | a) \$ 9= b) \$18 | \$ 0 |
| INDEP | 5 | MINUS | 13 | + 0 | a) \$39= b) \$78 | \$ 0 |
| [] FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | | see fee schedule | \$ 870.00 |
| [X] Extension of Time Fee (3 Months) | | | | | | 300.00 |
| [X] Notice of Appeal Fee | | | | | | |
| TOTAL | | | | | | \$ 1,170.00 |

* If the entry on Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

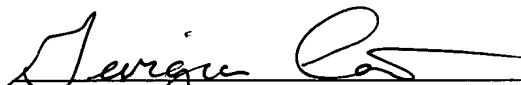
- ** If the "Highest Number Previously Paid For" IN THIS SPACE in less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

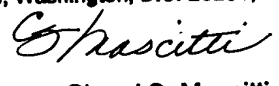
- [X] A check for **\$1,170.00** is enclosed to cover the above fees.
- [X] The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 14-1138.

A duplicate copy of this sheet is enclosed.

Date: February 24, 2000


Georgia Caton
Registration No. 44,597

NIXON PEABODY LLP
Clinton Square, P.O. Box 1051
Rochester, New York 14603
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|--|---|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below. | |
| <u>2/24/00</u> Date |  Cheryl S. Mascitti |

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